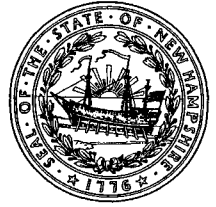




State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095

(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY
WET 2004-075**

November 8, 2004

Annie Valdmanis
896 Quincy Road
Rumney, NH 03266

RE: DES Wetlands File #2004-02473 Quincy Road, Rumney

Dear Ms. Valdmanis:

On October 28, 2004, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above-referenced property, more specifically referenced on Town of Rumney Tax Map 16 as Lot 06-02 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-800.

During the inspection the following deficiencies were documented:

1. Fill measuring approximately 3,000 square feet had been placed in jurisdictional wetlands during road construction activities. DES records indicate that a permit was not issued for the fill in violation of RSA 482-A:3;
2. Fill measuring approximately 1,000 square feet had impacted wetlands outside of the roadway travel surface. DES records indicate that a permit was not issued for the fill in violation of RSA 482-A:3,
3. A 15" culvert had been installed in a jurisdictional wetland. The embankments of the culvert did not have rip-rap or stone headwalls, resulting in erosion and sedimentation into the wetland in violation of NH Admin. Rule Wt 304.07;
4. The wetland at the outlet to the culvert in 3., above had been dredged. DES records indicate that a permit was not issued for the dredge in violation of RSA 482-A:3; and
5. No erosion controls were observed on the Property. Sideslopes to the road were not mulched and were unstable, in violation of NH Admin. Rule Wt 304.12.

In response, you are requested to take the following actions:

1. Immediately stabilize the roadway embankments with seed, such as winter rye, and mulch with straw;
2. By December 15, 2004, retain a certified wetland scientist to submit an after-the-fact application (enclosed) to retain the fill and to upgrade the culvert installation. Include a restoration plan for the removal of fill outside of the road travel surface. Submit the following with the application and restoration plan:
 - a. A plan with dimensions, drawn to scale, indicating the footprint of the wetland prior to the addition of fill and the footprint of existing conditions after the wetland had been

filled;

b. A detailed description of the proposed means of erosion control (silt fence, hay bales, etc) and stabilization of the restoration area;

c. A detailed description of the proposed planting plan for the stabilization and revegetation of the restoration area and control of invasive species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*);

d. A description of the proposed construction sequence and methods for accomplishing restoration and anticipated restoration compliance date;

e. A description of the method of documenting at least 75% survival of all vegetation planted during the restoration project. This should include at a minimum a monitoring progress report;

3. Retain a qualified wetland scientist to supervise the implementation of the restoration plan and to submit the restoration progress reports; and

4. Implement the restoration plan only after receiving written approval and as conditioned by DES.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for imposition of civil penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Linda Magoon
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, please contact Linda Magoon at (603) 271-4056 or by e-mail at lmagoon@des.state.nh.us.

Sincerely,

COPY

Collis G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL 7004 1160 0005 9765 0940

cc: Rene Pelletier, Manager, Land Resources Management Program
Gretchen R. Hamel, Administrator, DES Legal Unit.
Runney Conservation Commission
Runney Board of Selectmen
USACOE